

May 26, 2017

To the Subcommittee on Investigations and Oversight,
Department of Veteran's Affairs:

It has been nearly a year since I first provided testimony to you regarding my harrowing experience following my disclosure that VA facilities are allegedly defrauding the American people via their academic partners. Please allow me to update you as to the current disposition of this case.

By way of background, shortly after I made disclosures that Wayne State University (WSU) in Detroit, MI and John D. Dingell VAMC (JDDVAMC) were allegedly participating in wide-spread grant fraud I was terminated—first by WSU and then by JDDVAMC. However, they did not just terminate me. In an effort to reduce my credibility they accused me of committing scientific misconduct. When I first provided testimony to your committee I was in the middle of litigation against JDDVAMC through the Merit Systems Review Board brought on by VA's decision to terminate me, create a hostile work environment, and levy frivolous accusations of misconduct against me. Since this time, I received a verdict. The Judge ruled that, in fact, I was a whistleblower and that my disclosures were the source of the actions taken against me, including the misconduct proceedings. Of note to your committee, the Judge ruled that VA retaliated against me for exposing alleged corruption at WSU and that WSU coerced the VA to crush me. Specifically, the Judge stated in her decision,

“The record shows the strong academic relationship between the VA & WSU and the interplay among the VA, ORO [Office of Research Oversight, which provides oversight of VA research], ORI [Office of Research Integrity, which provides oversight over Universities and HHS], and WSU. An inference can clearly be made that Dr. Reeves [Director of JDDVAMC and Professor of Medicine at WSU] was attempting to appease WSU and protect their relationship by acquiescing in WSU's continued interference with the VA's employment of the appellant...I find the existence and motive to retaliate stemmed from the improper influence of WSU over the VA to take action against the appellant.”

Thus, an independent arbiter of this situation concluded that Universities do exert undue influence over VA facilities with little scrutiny or accountability.

It appeared for a brief moment that I would receive relief from this situation as the Judge ordered,

“...the agency to rescind its decisions to: (1) terminate the appellant's active Merit Review Award entitled “Poly-trauma following brain injury: towards a combinatorial therapy”; and (2) to rescind its decision to terminate the appellant's

term appointment for VA research; and (3) to rescind its decisions to debar the appellant from receiving VA funds for a period of 10 years.”

Regrettably the current VA administration refuses to comply with the Judge’s order, thus leaving me, a whistleblower, still uncompensated, unable to continue my work and left with a horrific smear on my character—a 10 year ban from receiving government funding. Yet again I find the very government that I am trying to protect being my worst enemy. As a U.S. citizen I continue to be treated as an enemy of the state, despite having been victorious in the Court of Law.

My story does not end here. In the near future I will continue my nearly seven-year, extremely costly fight against corruption. I will be involved in yet another lawsuit—this time against the Department of Health and Human Services (HHS) which has supported Wayne State University in their quest to destroy me. Regrettably, HHS tried to engage the VA in supporting Wayne State’s claims against me, adding to the tangled web of falsities aimed at ruining my integrity. What is the connection between these entities? HHS provides millions of dollars to Wayne State to support not only grants but also the Institute of Perinatology which is located at Wayne State. Further, numerous VA grants are joint efforts between VA and HHS. It is patently clear that HHS has little oversight of the money that it is handing to WSU (and other Universities). My disclosures are surely a horrific embarrassment to HHS, exposing their lack of concern over the disbursement of billions of dollars nationwide. It appears that the improper influence of Universities extends to multiple agencies within our Government.

When I previously provided testimony to your committee I was also involved in a False Claims Act suit against WSU. Despite numerous witnesses corroborating my facts, the DOJ decided not to intervene. Thus, I was forced to litigate through my lawyer without the aid of the very government I was trying to protect. Though the Courts ruled that Universities are immune from any accountability, there was hope that the Supreme Court would analyze the current laws for whistleblowers in order to allow us to hold Universities accountable for defrauding the American people. Disappointingly, the Supreme Court decided to deny cert, thus allowing inconsistency across our Great Nation as to whether or not a University can be held accountable for fraud. Currently WSU and many other Universities are deemed to be immune from such accountability.

In summary, under current interpretation of the law, Universities can continue to exploit our hard-earned tax dollars at the expense of health care and medical discovery. The VA continues to retaliate against those that are trying to assist in correcting monumental problems that plague the beleaguered Agency. And grant money continues to be diverted away from advances to help our Veteran’s cope with a myriad of health issues. Taken as a whole, the system is horrifically broken.

Is there hope? Despite having had my life ruined over a period of nearly seven years and now apparently having a system in which a Judge’s opinion can be ignored, I still have hope in our Great Country and its Government Institutions. I believe in Democracy and I believe that it is this Democracy that will prove victorious in the end. It

is in your hands, Members of Congress, to steer a flailing ship to calmer waters. I believe that you can make a difference by listening to us Whistleblowers, listening to what we are telling you, and allowing our testimonies to guide your decision making. By holding those that would defraud our fellow Americans accountable, we can stop this madness and allow for proper funding to guide medical discovery and better treatment for not only our Veterans but for each and every citizen.

In conclusion, while I still am battling horrific corruption within the VA and WSU, I am confident that we Americans can count on our Elected Officials in Congress to fix the problems that have been exposed. I am confident that in the near future confidence in the VA can be restored. I am confident that in the near future Universities can return to their mission of training our future generations. This cannot happen spontaneously, however. Careful scrutiny of current law is required to hold those that would threaten the veracity of our Great Institutions accountable. Either through modifications of current law or creation of new laws, accountability must be achieved.

As I have maintained throughout this horrific experience, I will continue to assist in any way that I can as I do believe that my sacrifices will not be in vain. I believe that these problems can and will be fixed. Thank you, in advance, for your continued efforts to try to implement improvements to the current System.

Respectfully Submitted,

Dr. Kreipke